

ance with the plans submitted to him by any of the districts with which contract may have been executed as herein provided for, he shall notify the district of its delinquency and advise that payments will not be made under the contract until such work shall have been done in accordance with the said plans: *Provided further*, That in determining the share of the cost of such work to be paid on behalf of the Indian lands to the district within which such lands are situated, there shall be taken into consideration any deductions that may not properly be apportioned against the Indian lands, and in no event shall the Indian lands bear a share of the cost in excess of the ratio their acreage benefited bears to the total lands benefited within any such district, the total Indian acreage to be benefited to be definitely determined by the said Secretary of the Interior: *Provided further*, That the amount herein authorized to be appropriated to cover the share of the cost of the work on behalf of the Indian lands shall be reimbursed to the United States from the proceeds of leases covering the Indian lands benefited by the drainage work, and said Secretary is hereby authorized to lease such lands not actually being cultivated by the Indians themselves for agricultural purposes for periods not in excess of ten years, and the proceeds derived therefrom shall be used for payment of the cost of said work and the balance placed in the Treasury to the credit of the Indians to bear interest at the rate of 4 per centum per annum: *Provided further*, That there is hereby created against such lands a first lien, which lien shall not be enforced during the period that the title to such lands remains in the Indians but that in case of sale of any such lands said lands shall be sold subject to the first lien herein created; *Provided further*, That said Secretary of the Interior, through the Commissioner of Indian Affairs, or his duly authorized agent, shall be recognized by any district with which contract shall be entered into in accordance with the provisions of this Act in all matters pertaining to its operation in the same ratio that the Indian lands bear to the total area of lands within the district, and that the district books and records shall be available at all times for inspection of by said representative: *Provided, however*, That said Indian lands shall not be subject to the provisions of any district laws until such time as the Indian title in and to any such lands shall become extinct, nor shall they be subject to operation and maintenance charges during the period that such lands remain in Indian ownership.

Approved, May 29, 1928.

CHAP. 855.—An Act Authorizing the Secretary of the Interior to acquire land and erect a monument on the site of the battle between the Sioux and Pawnee Indian Tribes in Hitchcock County, Nebraska, fought in the year 1873.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to erect a suitable monument and historical tablets on or near the site of the battle between the Sioux and Pawnee Indians near the Republican River in Hitchcock County, Nebraska, the last battle between Indian tribes on American soil. The title to the land deemed appropriate for the site shall be vested in the State of Nebraska, and care of the site and monument shall be without expense to the Federal Government.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$7,500, or so much thereof as may be necessary to carry out the provisions of this Act: *Provided*, That the said monument shall be the work of an artist who is a citizen of the United States.

Approved, May 29, 1928.

Payments withheld, if work not in accordance with determined plans.

Proportionate share of cost to be borne by Indian lands.

Reimbursement of amount authorized from proceeds of leases of benefited lands not cultivated by the Indians.

Deposit of proceeds.

Lien created, but not enforceable while title remains in the Indians.

Representative of Secretary to be recognized in matters pertaining to operation of contracts.

Indian lands not subject to district laws until Indian title becomes extinct, etc.

May 29, 1928.
[H. R. 9194.]
[Public, No. 565.]

Sioux and Pawnee Indians.

Monument authorized on site of battle between, in Hitchcock County, Nebr.

Title, etc., vested in Nebraska.

Sum authorized for.
Post, p. 1537.

Proriso.
To be work of American artist.